



General Assembly

**Substitute Bill No. 367**

February Session, 2012

\* \_\_\_\_SB00367JUD\_\_032812\_\_ \*

**AN ACT CONCERNING PUBLIC INDECENCY IN A CORRECTIONAL INSTITUTION.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective July 1, 2012*) (a) A person is guilty of  
2       public indecency in a correctional institution when such person is in  
3       the custody of the Commissioner of Correction and confined in a  
4       correctional institution and performs a lewd exposure of such person's  
5       intimate parts, or an act of masturbation, which lewd exposure or act  
6       may reasonably be expected to be viewed by a reasonably identifiable  
7       employee of the Department of Correction. For the purposes of this  
8       subsection, "intimate parts" has the meaning provided in section 53a-  
9       65 of the general statutes, and "masturbation" has the meaning  
10      provided in section 53a-193 of the general statutes.

11      (b) Public indecency in a correctional institution is a class D felony.  
12      If any person who is confined in a correctional institution of the  
13      Department of Correction is sentenced to a term of imprisonment for a  
14      violation of this section, such term shall run consecutively to the term  
15      for which such person was serving at the time of such violation.

16      Sec. 2. Subdivision (5) of section 54-250 of the general statutes is  
17      repealed and the following is substituted in lieu thereof (*Effective July*  
18      *1, 2012*):

19       (5) "Nonviolent sexual offense" means (A) a violation of section 53a-  
20 73a or subdivision (2) of subsection (a) of section 53a-189a, [or] (B) a  
21 violation of any of the offenses specified in subparagraph (A) of this  
22 subdivision for which a person is criminally liable under section 53a-8,  
23 53a-48 or 53a-49, or (C) a violation of section 1 of this act.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>July 1, 2012</i>	New section
Sec. 2	<i>July 1, 2012</i>	54-250(5)

***Statement of Legislative Commissioners:***

In Subsec. (a), "such person" was substituted for "a person" for accuracy, and in Subsec. (b), the final phrase was replaced by "such violation" for conciseness.

***JUD***       *Joint Favorable Subst.-LCO*